

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION**

Corey Jawan Robinson, # 294233,)
)
Plaintiff,)
v.)
)
Cpt. T. Clark; Ms. D. Bailey, Classification;)
Lt. J. Williams; Officer S. Mosher;)
Sgt. J. Aranda; Lolita M. Lee;)
Sherisse D. Birch; Loretta Aiken;)
Warden Wayne McCabe; IGC B. J. Thomas;)
Ofc. J. Middleton; Ofc. Jeremy Johnson;)
Nurse Luanne Mauney; Nurse J. Scott;)
Ann Hallman; Ofc. Tabitha Ford;)
Ms. S. Jones; Cpt. William Brightharp;)
Major Thierry Nettles;)
Assoc. Warden Fred Thompson; and)
Cpt. Ann Sheppard,)
)
Defendants.)
)

OPINION AND ORDER

This matter is before the court for review of the Magistrate Judge's Report and Recommendation ("Report") [Dkt. No. 175], filed on April 11, 2013, recommending that Plaintiff's Motion for Summary Judgment [Dkt. No. 132] be denied and Defendants' Motions for Summary Judgment [Dkt. No. 148, 149] be granted. For the reasons set forth below, the Report is **ADOPTED AND AFFIRMED**. Defendants' Motions for Summary Judgment are **GRANTED** and Plaintiff's Motion is **DENIED**.

Plaintiff brought this action seeking relief pursuant to 42 U.S.C. § 1983. The Report sets forth in detail the relevant facts and legal standards on this matter, which the court incorporates by reference. The Magistrate Judge's Report and Recommendation is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. "The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final

determination.” *Wallace v. Hous. Auth.*, 791 F. Supp. 137, 138 (D.S.C. 1992) (citing *Matthews v. Weber*, 423 U.S. 261, 271 (1976)). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objections are made, and the court may accept, reject, or modify, in whole or in part, the Magistrate Judge’s recommendation or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1). After the Magistrate Judge issued the Report, Plaintiff filed timely objections. [Dkt. No. 177]

Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party’s right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. *See United States v. Schronce*, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the magistrate judge’s Report and Recommendation, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that the Plaintiff’s objections merely restate his claims and thus do not raise specific objections to the Magistrate Judge’s analysis. Moreover, the court already addressed Plaintiff’s arguments in its Order adopting the Magistrate Judge’s initial Report and Recommendation on Plaintiff’s first motion for summary judgment. [Dkt. No. 169]. Plaintiff reiterates the facts upon which he relied in his summary judgment motion and provides no new evidence to the court to bolster his claims.

Therefore, after a thorough and careful review of the Report and the record in this case, the court finds the Report provides an accurate summary of the facts and law in the instant case. Therefore, the court **ACCEPTS** the Report and Recommendation [Dkt. No. 175]. Plaintiff’s Motion for Summary Judgment [Dkt. No. 132] is **DENIED** and Defendants’ Motions for Summary Judgment [Dkt. No. 148, 149] are **GRANTED**.

IT IS SO ORDERED.



United States District Judge

June 18, 2013
Greenville, South Carolina